

The Network Rail (Cambridge South Infrastructure Enhancements) Order



Proof of Evidence

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Proof of Evidence – Open Space (Mr David Jones)

(Inquiries Procedure (England & Wales) Rules 2004

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Cambridge South Infrastructure Enhancements

Open Space Proof of Evidence

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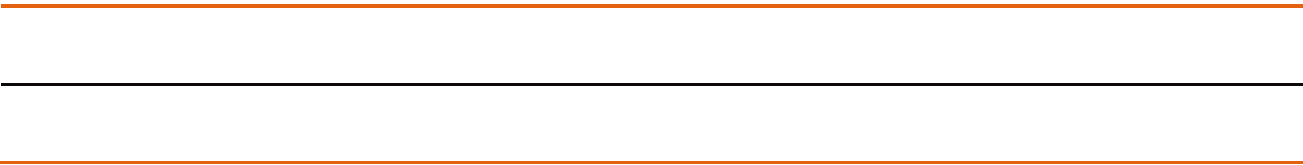
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Acronyms and Abbreviations

ALA	Acquisition of Land Act 1981
ARA	Active Recreation Area
CoCP	Code of Construction Practice
CSIE	Cambridge South Infrastructure Enhancements
CTMP	Construction Transport Management Plan
DMRB	Design Manual for Roads and Bridges
ES	Environmental Statement
GCSP	Greater Cambridge Shared Planning
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NNNPS	National Networks National Policy Statement
OLE	Overhead Line Equipment
POS	Public Open Space
PRoW	Public Right of Way
TWAO	Transport and Works Act Order



1 Introduction

1.1 Qualifications and Experience

- 1.1.1 This Proof of Evidence has been written by Mr. David Jones MRTPI. I am a chartered member of the Royal Town Planning Institute and have 36 years' planning experience in both the public and private sectors. I provide a leading role on Arcadis' planning work, as Technical Director.
- 1.1.2 I hold a BA (Hons) in Planning Studies and a Diploma in Town Planning from Oxford Brookes University and an Urban Design Diploma from Gloucester College of Science and Technology.
- 1.1.3 During my professional career I have worked on a full range of planning work, including the delivery of planning consents across the main consenting regimes in England and Wales, the preparation of planning and strategy documents and responses to consultation documents. I have undertaken appeals, policy promotion and representation work on numerous development schemes and have acted as an expert witness at Public Inquiries and Examinations in Public on behalf of clients/employers. I have also undertaken, through the statutory planning process and project work, major public consultation and participation exercises, stakeholder workshops and forum events.
- 1.1.4 I have been engaged by National Highways as a planning consultant on the Lower Thames Crossing Nationally Significant Infrastructure Project, a major highway scheme to provide an additional tunnel crossing of the River Thames east of London. As part of this work, I have led the commissioning of an Open Space, Sports and Recreation Needs Assessment and its findings in relation to the acquisition of public open space and the identification of replacement land in accordance with legislative provisions.
- 1.1.5 My role on the Cambridge South Infrastructure Enhancements (CSIE) Project has been to provide technical support to Network Rail in the drafting and review of the Public Open Space Assessment. For this purpose, I have visited the location of the CSIE Project and am familiar with the area and the policy context within which it has been considered.

1.2 Scope and Structure of Evidence

- 1.2.1 I will provide evidence on Public Open Space matters, to include:
 - a) A Summary of Evidence is provided in section 2, followed by an outline of the legislative and policy framework, along with the engagement undertaken with key stakeholders in section 3.
 - b) Section 4 provides a brief outline of Section 19 Application procedures undertaken by Network Rail in relation to the acquisition of open space land.
 - c) A summary of Public Open Space Assessment work undertaken to date, with particular reference to the loss of existing Public Open Space (POS), the identification of potential areas of exchange land and the methodology used in assessing the preferred replacement site. This is presented in sections 5 of my evidence.
 - d) A response to the objections received in respect of the assessment scoring used in the selection of the preferred area of replacement land, the methodology and conclusions of the POS

Assessment and detailed matters relating to landscape, biodiversity, accessibility, spoil deposition and the bringing into use of the exchange land. This is presented in section 6 of my evidence.

- e) Brief conclusions on the overall findings of the POS Assessment and its compliance with the legislative framework and established policy and guidance in support of the CSIE Project are set out in section 7 of my evidence.

2 Evidence Summary

- 2.1.1 In my evidence I deal with all matters relating to public open space provision for the CSIE Project.
- 2.1.2 The baseline review for the Project has identified two areas of public open space (POS) within the Transport and Works Act Order (TWAo), (Document Reference B1) site boundary that may be impacted during the construction and/or operational phases of the CSIE Project. For construction purposes, two areas of POS are required temporarily at Long Road Sixth Form College (350 sqm) and Hobson's Park (57,826 sqm). For the operational phase, POS totalling 20,439 sqm is proposed within Hobson's Park and 303 sqm POS within Long Road Sixth Form College, representing a total permanent land-take of 20,742 sqm.
- 2.1.3 The legislative framework for land that is to be compulsorily acquired by statutory undertakers for their undertakings is provided by the Acquisition of Land Act (ALA) 1981 (Document Reference B12). Section 19(1) of the Act has particular relevance to this Project, requiring exchange land to be provided that is no less in area and is equally advantageous to the persons entitled to rights over such land and to the public. As there is no requirement under the Act to consider the provision of exchange land for temporary works, the focus of my evidence is on land to be permanently acquired within the two identified areas of POS.
- 2.1.4 National planning policy and guidance in relation to open space provision and its replacement as a result of new development is provided in the National Planning Policy Framework (NPPF, Ministry of Housing, Communities and Local Government, 2019 (Document Reference D1); National Networks National Policy Statement (NNPS) Department for Transport December, 2014 (Document Reference D5) and National Planning Practice Guidance (NPPG), Ministry of Housing, Communities and Local Government 2014 (Document Reference D4).
- 2.1.5 At a local level, the Adopted Cambridge Local Plan, 2018 (Cambridge City Council), (Document Reference D6) provides specific policy guidance on the provision of replacement open space and the Adopted South Cambridgeshire Local Plan, 2018 (South Cambridgeshire District Council), (Document Reference D8) allocates areas of open space, though none of the allocated sites are more closely located to the areas of POS to be lost than the proposed replacement site.
- 2.1.6 In accordance with the methodology set out in Chapter 2 (EIA methodology) of the accompanying Environmental Statement (Document Reference NR16) to the TWAo and the 'Design Manual for Roads and Bridges' (DMRB) LA 112 (Highways England et al, 2019), (Document Reference D62), an assessment has been undertaken to consider the impacts of the CSIE Project on the areas of POS to be acquired, both temporarily and permanently (the Assessment). Whilst the latter publication sets out the requirements for assessing and reporting the environmental effects on population and health from the construction, operation and maintenance of highways projects, it is considered that the Manual provides appropriate guidance for railway projects, having been used elsewhere by Network Rail in the absence of more relevant guidance.
- 2.1.7 In relation to permanent land-take, the ES has concluded that in relation to Hobson's Park, following the return of the land to POS on completion of construction works, the mitigation measures proposed, the significance of effect is considered to be not significant. In the case of the Long Road Sixth Form College, in view of the mitigation measures proposed within the ES, the significance of effects is also considered to be not significant.

- 2.1.8 For the two areas of permanent land to be acquired, in the case of Hobson's Park, the Public Open Space Assessment Report (June 2021) (Document Reference NR19) notes the relatively small area of land affected, the restricted accessibility to the area by the public, the limited amenity value due to its proximity to the railway corridor and its separation from the wider area of the Park. For the smaller area of land to be acquired at the Long Road Sixth Form College, the Assessment notes the relatively small area of land to be used, its limited amenity value and the restricted accessibility to the area by the public, due to its proximity to the existing operational railway corridor and heavy vegetation.
- 2.1.9 In relation to the two areas of POS at Hobson's Park and Long Road Sixth Form College required temporarily for the provision of temporary access and as a site compound, the ES has concluded that in relation to landscape character and visual amenity, the impacts on both areas are not significant.
- 2.1.10 In accordance with the Assessment above, Network Rail proposes to provide replacement land, though in line with the legislative provisions, consideration of replacement land is only required for POS which is to be permanently acquired. In the absence of replacement land directly adjacent to the CSIE Project suitable for acquisition as POS, Network Rail has been required to consider the use of agricultural land parcels to the south of Addenbrooke's Road and the Cambridge Biomedical Campus. Four potential areas of exchange land have been assessed in line with the criteria set out for the provision of replacement land, based on national guidance, local planning policy and relevant case law.
- 2.1.11 The results of this Assessment are that the proposed replacement site immediately to the south of Hobson's Park, covering an area of 20,840 sqm scored highest against the three assessment criteria of Quality, Quantity and Accessibility, as the most suitable site to mitigate for the permanent loss of POS in Hobson's Park and Long Road Sixth Form College as a result of the CSIE Project, thereby meeting the provisions of the ALA 1981.

3 Legislation, Policy and Stakeholder Engagement

3.1 Legislative and Policy Background

Legislation

- 3.1.1 The Acquisition of Land Act 1981 (Document Reference B12) provides the primary legislative framework for land that is compulsory acquired by statutory undertakers for their undertakings. Section 19 states that where a compulsory purchase order (including a TWAO made under the Transport and Works Act 1992) (Document Reference B1) authorises the compulsory acquisition of open space, the order shall be subject to Special Parliamentary Procedure (SPP) unless the Secretary of State is satisfied, and certifies that, one of the exceptions prescribed by section 19(1) of the 1981 Act applies.
- 3.1.2 These exceptions are:
- i. *'that exchange land has been provided that is no less in area and is equally advantageous for use to the persons, if any, entitled to rights over such land, and to the public, and that the land given in exchange has been or will be vested subject to the rights attached to the land purchased' (s. 19(1)(a)); or*
 - ii. *that the land is being purchased to secure its preservation or improve its management (s. 19(1)(aa)); or*
 - iii. *that the land does not exceed 250 square yards (which converts to approximately 209 square metres (m²)) in extent or is required for the widening or drainage of an existing highway and that the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights over such land or in the interests of the public' (s. 19(1)(b)).*
- 3.1.3 It is the first exception, s.19(1)(a), that is relevant to the present proceedings and which has been the basis for the application made for a certificate for the provision of replacement land in exchange for the loss of open space.
- 3.1.4 Section 28 of the 1981 Act, entitled "*acquisition of rights over land by the creation of new rights*" provides that Schedule 3 of the Act applies to the compulsory acquisition of rights over land by the creation of new rights. Schedule 3 of the Act, in turn, states in paragraph 6(1) that (as far as is relevant):
- 'In so far as a compulsory purchase order authorises the acquisition of a right over land forming part of a common, open space or fuel or field garden allotment, it shall be subject to special parliamentary procedure unless the Secretary of State is satisfied –*
- (a) that the land, when burdened with that right, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before..'*

Policy

3.1.5 National planning policy and guidance in relation to open space and the provision of replacement land as a result of new development affecting open space land is provided in the following documents:

- National Planning Policy Framework (NPPF), Ministry of Housing, Communities and Local Government, (2021) (Document Referenced D1).
- National Networks National Policy Statement (NNNPS), Department for Transport, (December 2014) (Document Reference D5) and
- National Planning Practice Guidance (NPPG), Ministry of Housing, Communities and Local Government, "Open space, sports and recreation facilities, public rights of way and local green space" (March 2014) (Document Reference D5).

3.1.6 Paragraph 99 of the NPPF provides, in essence, that existing open space should not be built on. However, it is subject to exceptions, including an exception where the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location:

'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location...'

3.1.7 I am advised that in R(oao Brommell) v Reading BC [2018] EWHC 3529 (Admin)), (Document Reference B41), the Appeal Court provided the following clarity regarding the quantity and quality of land to be replaced, as a result of the development of a primary school, associated multi-use games area and parking facilities on part of Mapledurham Playing Fields, a recreational space in Caversham, Reading:

'Whether or not the provision is equivalent or better must be judged in terms of both quantity and quality. The word "and" simply makes clear that both quality and quantity are relevant parameters in judging whether provision is "equivalent or better". So the overall requirement is that the open space land lost must be made up for, and whether or not that requirement is met is a matter of planning judgment, having regard to both the quantity of what is to be provided and the quality, but allowing (in an appropriate case) for one to be set off against the other.'

3.1.8 Paragraph 5.166 of the NNNPS provides similar guidance to the NPPF, stating that, 'existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Paragraph 5.181 goes on to say that 'any exchange land should be at least as good in terms of size, usefulness, attractiveness, quality and accessibility'.

3.1.9 The NPPG acknowledges that open space, 'can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to as well as being an important

part of the landscape and setting of built development, and an important component in the achievement of sustainable development.'

3.1.10 Local planning policy in relation to open space provision is referred to within the development plans of both affected local planning authorities:

- Cambridge Local Plan, Cambridge City Council (Adopted 2018). (Document Reference D6).
- South Cambridgeshire Local Plan, South Cambridgeshire District Council (Adopted 2018). (Document Reference D7)

3.1.11 Policy 67 of the Adopted Cambridge City Council Local Plan seeks to protect open space land, explaining that:

'Development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless:

- a) the open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost; and*
- b) the re-provision is located within a short walk (400m) of the original site*

In the case of school, college and university grounds, development may be permitted where it meets a demonstrable educational need and does not adversely affect playing fields or other formal sports provision on the site. Where replacement open space is to be provided in an alternative location, the replacement site/facility must be fully available for use before the area of open space to be lost can be redeveloped'.

3.1.12 Paragraph 7.47 of the supporting text states that, *'there is a clear presumption against the loss of open space of environmental or recreational importance. However, there may be circumstances where development proposals can enhance the character, use and visual amenity of open space, and provide ancillary recreational facilities, such as changing facilities, or materially improve the recreational or biodiversity value of the site.'*

3.1.13 Paragraph 7.48 reads, *'replacement sites/facilities should be no more than a short walk (400m) from the site that is to be replaced unless it can be proved that a more accessible area of open space can be provided. Replacement sites/facilities should not increase any identified deficiencies in open space in the ward where the original site is located. Consideration should also be given to how they link with the wider ecological network and enhance biodiversity.'*

3.1.14 The Adopted South Cambridgeshire Local Plan has identified, under Policy SC/1 (Allocation for Open Space) land to the south of Granhams Road, Great Shelford (SC/1 (2e)) as a new site for open space. Whilst the site is the closest site allocation for open space provision in relation to the sites impacted by the CSIE Project, its distance, at over 1km from the affected area of POS at Hobson's Park has discounted it from further consideration as potential replacement land.

3.2 Stakeholder Engagement

- 3.2.1 Consultation has been undertaken by Network Rail with the landowner and Cambridge City Council (prospective lessee) in relation to the POS affected by the CSIE Project within Hobson's Park, along with discussions with the Sixth Form College regarding the land-take requirements affecting their land.
- 3.2.2 Consultation with the Greater Cambridge Shared Planning (the shared planning service for South Cambridgeshire District Council and Cambridge City Council) (GCSP) has taken place regarding the baseline conditions for the affected areas and confirmation that the areas of land affected by the CSIE Project would be classed as POS. In its original representation to the Secretary of State, GCSP described the selected replacement land as *"...the most appropriate location for exchange land"* although it stated that *"the success of the area for mitigation will depend on the landscaping details secured through conditions"*.
- 3.2.3 Subsequently an objection was received from Cambridge City Council (OBJ 23) to the proposed development which includes the following principal matters relating to POS:
- Further information to be provided on the landscaping and biodiversity features, and the accessibility and safety of crossing Addenbrooke's Road.
 - The exchange land must be laid out and available for use before the existing public open space for the development commences.
 - The temporary use of Hobson's Park must be justified in terms of the area of land and the duration for which it is required.
 - There must be no spoil permanently placed within areas of public open space.
 - The use of existing public open space for the creation of new access routes and temporary work required must be the minimum required and must be justified.
 - The layout of new routes across the public open space should consider the impact on the remaining green spaces, and any changes to the management regime or the use of spaces for recreation.
- 3.2.4 These objections are addressed in section 6 below.
- 3.2.5 The proposed landscape scheme to be implemented on the exchange land south of Hobson's Park will be developed in consultation with Cambridge City Council, South Cambridgeshire District Council, Long Road Sixth Form College and the Hobson's Conduit Trust.

4 Section 19 Application

- 4.1.1 Network Rail submitted an application to the Secretary of State for Transport on 23rd August 2021 for a certificate under section 19(1) (a) and paragraph 6(1) (a) of Schedule 3 to the Acquisition of Land Act 1981 in order to authorise the purchase of land and new rights over land forming part of open space land.
- 4.1.2 Subsequently, the Secretary of State for Levelling Up Housing & Communities confirmed his intention on 7th October 2021 to give the certificate in accordance with the provisions of section 19(2) and Schedule 3, paragraph 6(3). However, before reaching a decision, he was required to direct Network Rail to give public notice of this intention before reaching a decision, to afford an opportunity for representations and objections to be made.
- 4.1.3 Accordingly, public notification of the Section 19 Application was published in the Cambridge News on 1st and 8th November 2021, along with site notices and notice served on those with an interest in the affected open space land. The time period for objecting to the proposed application ended on 22nd November 2021.
- 4.1.4 Only one 'objection' was received during this period from Mr Meed (Rep 11). However, the written representation related to the possible impacts on the use of land south of Addenbrooke's Road as a compound would have on this land on ecological grounds rather than any specific open space land issues. The Department for Communities and Levelling Up is currently liaising with Mr Meed to confirm that this 'objection' does not specifically relate to the Section 19 application.
- 4.1.5 Consequently, it is Network Rail's view that this does not constitute an 'objection' to the Section 19 Application but rather as a representation in respect of the Scheme itself. For this reason, this is not considered to be an 'objection' made on relevant grounds and I do not propose to deal with it as part of my Proof of Evidence which focusses on open space matters.

5 Effects of Cambridge CSIE Project on Public Open Space Provision

- 5.1.1 In this section I set out evidence relating to the Public Open Space (POS) receptors impacted as a result of the CSIE Project, the identification of exchange land and a justification for the proposed replacement sites in line with the assessment methodology.

5.1 Assessment Approach

- 5.1.2 The POS Assessment within the Public Open Space Assessment Report (June 2021) (Document Reference NR19) considered the impacts of the CSIE Project on areas of identified POS where temporary or permanent land acquisition is required. The Assessment has been based on the study area shown in **Figure 1** below, delineated by the site boundary of the TWAO.

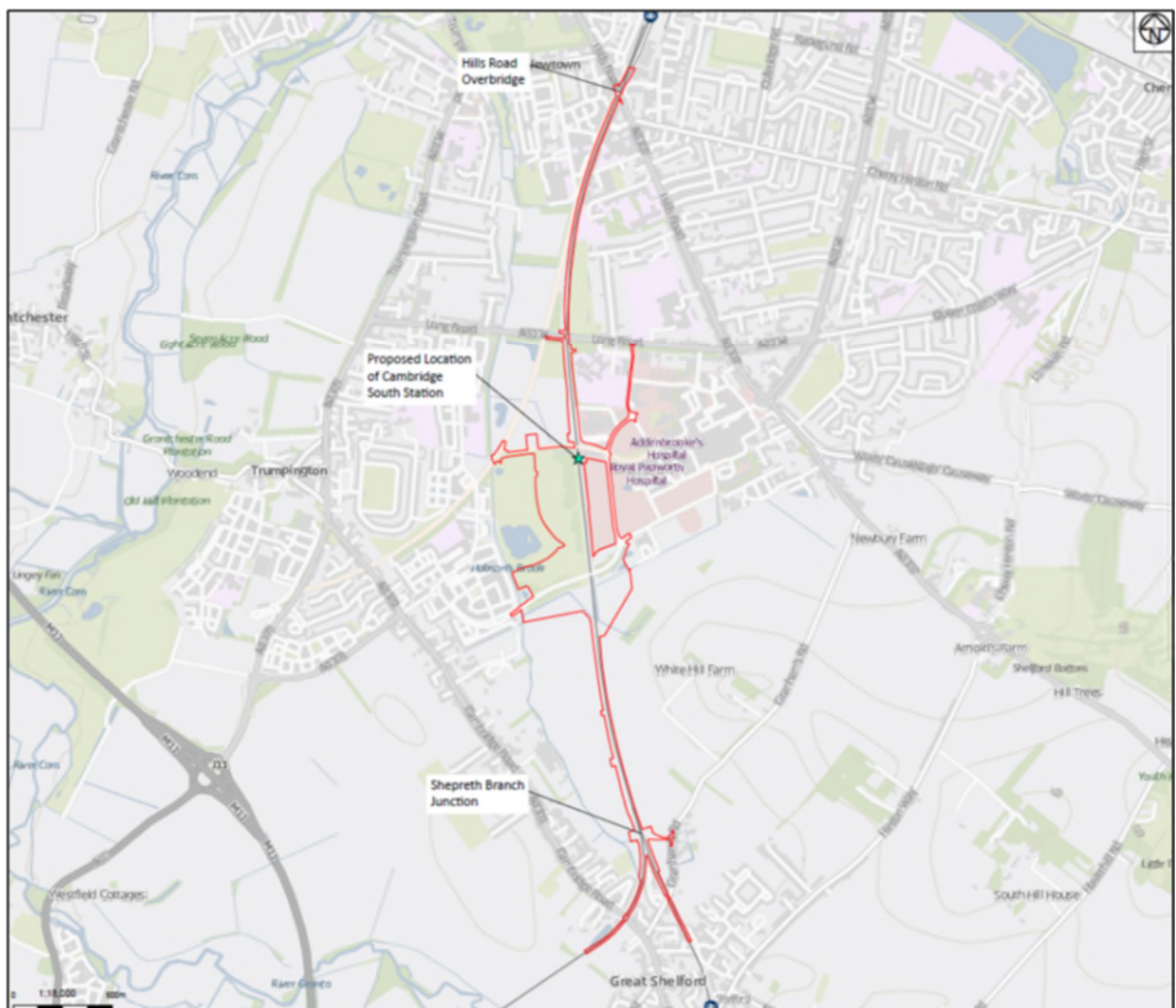


Figure 1-1 – Proposed site boundary

5.1.3 The Assessment has considered the impacts on areas of identified POS where temporary or permanent land acquisition is required for the CSIE Project in relation to the following aspects:

- Location and type of POS affected by the proposed development e.g. common land, village greens, open green space, allotments, sports pitches etc.;
- The amount of land which will be acquired or affected by the proposed development (during both the construction and operational phases);
- Quality of the land for use as public amenity; and
- Any current accessibility restrictions to the land.

5.1.4 The method of assessment and reporting of significant effects has been a qualitative one based on the methodology set out in Chapter 2 (EIA methodology) of the accompanying Environmental Statement (Document Reference NR16) to the TWAO and has involved the following steps:

- Categorisation of importance (sensitivity) of receptor (existing POS).
- Categorisation of magnitude of the impact; and
- Assessment of the significance of the effect based on the importance of the receptor (existing POS) and magnitude of the impact.

5.1.5 The level of sensitivity has been determined using the criteria set out in Table 3.11 of the 'Design Manual for Roads and Bridges' (DMRB) LA 112 (Document Reference D62) for community land and assets, with professional judgement used to assign the POS to the most appropriate level of sensitivity.

5.2 Affected Public Open Space

5.2.1 The baseline review for the POS Assessment identified the following areas of POS within the TWAO site boundary that may be impacted during the construction and operational phases of the CSIE Project. These relate to both temporary and permanent areas of land-take, as described below:

Temporary Use of Public Open Space

5.2.2 Two areas of POS will be required to accommodate temporary construction activities. The initial application proposals for these are shown indicatively in **Figure 2** below at Hobson's Park (TL1 - shaded blue) and Long Road Sixth Form College (TL2 - shaded green).

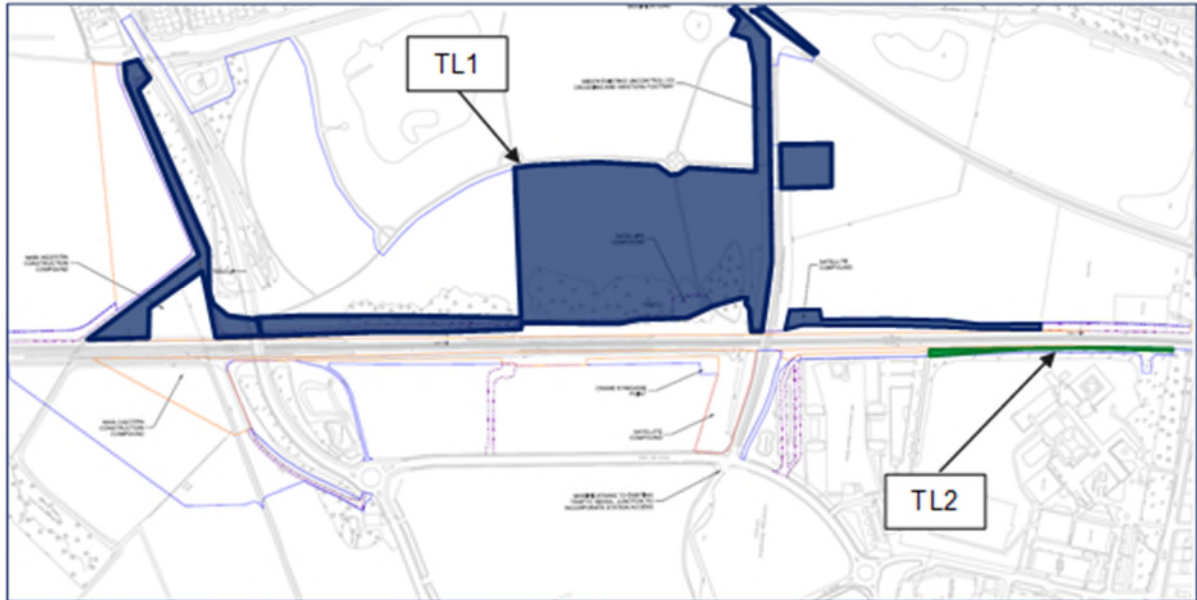


Figure 2-2 - Temporary land take at Hobson's Park and Long Road Sixth Form College

Hobson's Park

- 5.2.3 An area of 57,826 sqm out of a total Park area of 482,880 sqm (approximately 12%) is required within Hobson's Park to provide temporary access and use as a site compound for construction of the western station areas including storage and sorting areas for excavated materials prior to removal off-site. The POS affected does not form part of a playing field, common land or allotment.



Figure 3-3 – Hobson's Park – Land to be acquired temporarily looking West

- 5.2.4 It should be noted that the area required, as depicted in Fig 2-1 above, has been reduced from the area originally proposed for temporary use (170,503 sqm) to 57,826 sqm. This reduction followed the appointment of Network Rail's contractor and objections received from the local community.
- 5.2.5 The area of POS directly affected by the proposed development is used on a daily basis by members of the public for recreational purposes. However, the revised proposals ensure retention of as much of the existing open space and path network as possible thereby reducing any adverse effects upon the amenity of park users. The remaining areas of Hobson's Park POS will not be affected or acquired temporarily as part of the proposed development and will remain available to the public during the construction phase.
- 5.2.6 A qualitative assessment of the impacts on landscape character and visual amenity resulting from the construction of the proposed development has been undertaken within the ES.
- 5.2.7 In order to avoid or prevent significant adverse effects occurring, or reduce their significance on landscape character and visual amenity receptors during the construction period, an outline Code of Construction Practice (CoCP) Part A has been submitted with the application and further detail will follow in a CoCP Part B, incorporating the following best practice measures:
- Avoiding excessive temporary land take during construction, including Hobson's Park, to allow retention of as much of the existing open space and path network as possible
 - Avoiding excessive temporary land take during construction by using existing maintenance tracks as haul / construction access routes
 - Appropriate designs of construction-fencing and hoarding surrounding construction areas
 - Measures to limit construction site lighting to that required for the activity
 - Reducing the adverse visual effects on users of publicly accessible areas and routes by restricting temporary material stockpile heights
 - Locating material stockpiles, construction parking and other visually obtrusive non-location specific activities away from sensitive receptors
 - The careful lifting, temporary heeling in, protection and management of areas of existing immature native tree and shrub planting, including Hobson's Park
 - Protecting remaining tree and shrub vegetation with temporary fencing
 - Reinstating tree and shrub planting, hedge vegetation and grass seeding with new replacement planting/seeding
- 5.2.8 In assessing the residual effects from construction activity on landscape character, the ES concludes (based on the original, more extensive land take proposed) that the impacts would be reduced with the above mitigation measures, such that there is likely to be a moderate / minor adverse effect of moderate sensitivity which is not significant.
- 5.2.9 In terms of visual amenity, the ES considers that in relation to publicly accessible open spaces such as Hobson's Park there would be adverse impacts to the visual amenity of users, though this would

be short-term and reversible. In line with the mitigation measures above the assessment within the ES concludes (again, based on the original, more extensive land take proposed) that there is, at worst likely to be a moderate / minor adverse effect of moderate sensitivity and therefore not significant.

Long Road Sixth Form College

- 5.2.10 An area of 2,761 sqm, out of a total site area of some 42,500 sqm (6.4%) was previously required to provide temporary access and use as a site compound for construction of the Up Loop line which will pass through the eastern side of the proposed new Cambridge South Station. However, the temporary vehicular access on the east side of the railway is no longer required and the only main construction requiring access from the east is for 4 overhead line equipment (OLE) gantry foundations. The remaining track works will be undertaken from the railway corridor. The required temporary land-take has therefore been reduced to 350 sqm (0.8%).
- 5.2.11 The site is a wooded area within the grounds of the Long Road Sixth Form College and is designated as protected open space within the Cambridge Local Plan. The POS affected does not form part of a playing field, common land or allotment.



Figure 4-4 - Long Road Sixth Form College looking North – wooded area to right of railway line

- 5.2.12 As described in paragraphs 4.2.6 – 4.2.9 above in relation to the impacts arising from construction of the proposed development, the ES concludes (based on the original, more extensive land take proposed) that in terms of landscape character there is, at worst likely to be a moderate / minor adverse effect of moderate sensitivity and therefore not significant.

- 5.2.13 In relation to visual amenity, there would be adverse impacts to the visual amenity of users of the railway line on its approach to Cambridge, though this would be short-term and reversible. With the construction-phase mitigation measures in paragraph 4.2.7 above, the ES concludes (again, based on the original, more extensive land take proposed) that there is, at worst, likely to be a moderate / minor adverse effect of moderate / low sensitivity, and therefore not significant.

Permanent Land Take

- 5.2.14 Areas of POS at both Hobson's Park and the Long Road Sixth Form College will also be acquired on a permanent basis to accommodate the operational activities of the proposed development. These are shown indicatively in **Figure 5** below, referenced as PL1 (Hobson's Park - Orange) and PL2 (Long Road Sixth Form College - Yellow).

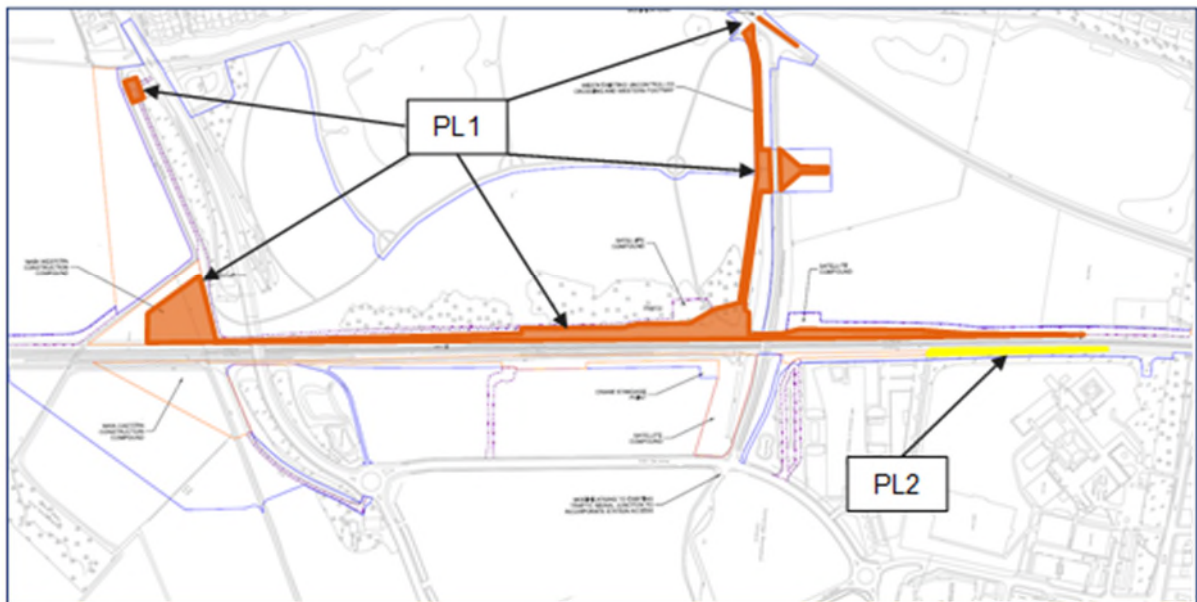


Figure 5-5 - Permanent land take at Hobson's Park and Long Road Sixth Form College

Hobson's Park

- 5.2.15 The land to be permanently acquired relates principally to Hobson's Park (PL1) where there will be a permanent loss of approximately 20,439 sqm of POS, out of a total Park area of 482,880 sqm (approximately 4.2%).
- 5.2.16 This area of land forms part of a wider area of informal open space created in connection with the adjacent Clay Farm residential development to the west of the POS. The Park forms part of Great Kneighton Bird Reserve, an area of rough grassland and lakes, providing a green wildlife corridor extending from Shelford and Trumpington, along Hobson's Brook to Brooklands Avenue.



Figure 6-6 - Hobson's Park – Land to be acquired looking South from Addenbrooke's Bridge



Figure 7-7 - Land to be acquired looking South towards Addenbrooke's Bridge

- 5.2.17 Hobson's Park contains a number of permissive paths providing connectivity to an area to the north of the Guided Busway, known as the Active Recreation Area (ARA) beneath the Guided Busway bridge (Addenbrooke's Bridge). A cross section of the general public use the area, including dog walkers,

cyclists and runners as well as workers from the Cambridge Biomedical Campus located to the east of the POS.

- 5.2.18 The POS to be acquired within the Park forms a narrow strip of land, ranging from approximately 5m to 13m wide, bordered by a wire mesh fence running along the railway line immediately to the west and a linear embankment to the east. This measures some 20m wide at its narrowest, to some 72m at its widest and forming 2m-3m high hillocks planted with saplings, providing a physical and visual screen between this area of POS and the wider area of the Park. The area, which is flat in nature, is characterised predominately by scrub land with a track running through the area used by Cambridge City Council to maintain the Park, thus limiting the public's use of the area as POS. (Network Rail will be securing a maintenance right of access through the TWAO).
- 5.2.19 In view of the proximity of this POS to the adjoining operational railway corridor, the presence of a maintenance track running through the site and its separation from the wider area of POS limits the ability of the public to use it. This is particularly so given the more favourable adjoining land within Hobson's Park, offering limited amenity value in comparison to the wider area of POS available to the public. The acquisition of the POS land will not affect the use of the wider area of POS during the operational phase and the public recreational activities will continue following acquisition of the land.
- 5.2.20 The assessment within the ES has concluded that as there are no significant adverse residual effects to any of the identified landscape character or visual amenity receptors (ES Chapter 13 – Landscape and Visual) and the limited impacts in respect of recreational amenity (ES Chapter 15 – Population and Human Health) (as described in the preceding paragraph) these effects are considered to be not significant.
- 5.2.21 As Network Rail (as promoter of the TWAO) has not yet been able to reach agreement with the owner (and their prospective lessee) of the POS within Hobson's Park either prior to submission of or during the process for determination of the Order, it has been necessary to include in the TWAO compulsory acquisition powers over the POS required for the permanent works.

Long Road Sixth Form College

- 5.2.22 A much smaller area of POS, 303 sqm out of a total site area 42,500 sqm (0.007%), is to be permanently acquired within the grounds of the Long Road Sixth Form College (PL2). The area is heavily wooded and vegetated and runs directly parallel to the boundary of the operational railway, which restricts the use of the space for public recreation. The POS is of low value as it is predominately woodland and scrub vegetation bordered by the railway to the west. It is also screened from the remaining areas of POS by existing woodland and vegetation which forms the border between the railway and the college grounds.



Figure 8-8 - Long Road Sixth Form College – Land to be Acquired looking South (wooded area East of railway line)

- 5.2.23 As with Hobson's Park, the assessment within the ES has concluded that as there are no significant adverse residual effects to any of the identified landscape character or visual amenity receptors (ES Chapter 13 – Landscape and Visual) and the limited impacts in respect of recreational amenity (ES Chapter 15 – Population and Human Health) these effects are considered to be not significant.

5.3 Replacement Public Open Space

- 5.3.1 The area adjoining the CSIE Project at Hobson's Park is bounded by the existing railway line to the east, with Cambridge Biomedical Campus beyond, the Clay Farm residential development to the west, the raised embankment of Addenbrooke's Road to the south and open farmland to the north. The Long Road Sixth Form College grounds are bounded to the north by Long Road, east and south by the Cambridge Biomedical Campus and on the west by the existing railway.
- 5.3.2 Network Rail has therefore been required to consider the use of agricultural land parcels to the south of Addenbrooke's Road and the Cambridge Biomedical Campus within the Cambridge Green Belt for replacement Public Open Space provision.
- 5.3.3 Four areas of exchange land have been considered potentially suitable for the provision of replacement POS, compliant with the requirements of the 1981 Act (Document Reference B12) as detailed in **Table A** below and delineated in **Figure 9**. Details of how the merits of these areas have been appraised are set out in section 4.4. below.

Table A Potential Areas of Exchange Land

Exchange Land No.	Description
EL1	Agricultural land to the south-east of Addenbrooke's Road adjacent to the eastern boundary of the railway
EL2	Agricultural land to the south of Dame Mary Archer Way
EL3	Agricultural land to the south-east of Nine Wells Local Nature Reserve
EL4	Agricultural land to the south of Addenbrooke's Road and south-west of Hobson's Brook



Figure 9-9 - Potential Areas of Exchange Land

5.4 Replacement Land Assessment Methodology

- 5.4.1 The four identified areas of potential exchange land were assessed against the following criteria to establish their suitability in mitigating the impact of the permanent loss of POS brought about by the CSIE Project during its operation. The criteria reflect and are informed by the criteria set out for replacement land in national guidance and local planning policy.
- 1) Quantity: Site area of the replacement land compared to that lost as a result of the proposed Development
 - 2) Quality: Usefulness and attractiveness of the replacement land compared to that lost as a result of the proposed Development

3) Accessibility: Distance of the replacement land from the site of the proposed Development

5.4.2 Each of the above criteria was assessed against the following values and an associate score attributed as set out in **Table B** below.

Table B Criteria Scoring Matrix

Value	Description	Score
Excellent	Provides a major improvement/enhancement above the current situation	5
Good	Provides a minor improvement/enhancement above the current situation	4
Satisfactory	Matches the existing situation	3
Poor	Provides a minor reduction/detraction from the current situation	2
Very poor	Provides a major reduction/detraction from current the situation	1

5.4.3 The higher the assessment score, the more suitable the site is as replacement land for the loss of POS in Hobson's Park (PL1) and within the grounds of Long Road Sixth Form College (PL2).

5.4.4 The matrix below sets out the results of the assessment of the potential exchange land sites against the criteria and scoring matrix with relevant commentary to explain the assessment score. My assessment of the scoring matrix in Table C below differs from that shown in the Public Open Space Assessment Report, with a lower score of 3 shown for Site EL4 compared to 4 in terms of the Accessibility criterion, as the proposed replacement land is considered by me to match the existing situation rather than as a 'minor improvement' on the current situation.

Table C Exchange Land Assessment

Exchange Land No.	Quantity	Quality	Accessibility	Total
EL1	The site is equivalent in size to the combined area of land-take at Hobson's Park and the Long Road Sixth Form College grounds. = Satisfactory (3)	Currently an agricultural field, flat and level, located on the east side of the railway with no direct connectivity to Hobson's Park and the Long Road Sixth Form College grounds which detracts from the current situation to a minor extent. = Poor (2)	Direct connection to National Cycle Network Route 11 and the Genome Path but located on the east side of the railway so no connectivity to the area of land-take at Hobson's Park and the Long Road Sixth Form College grounds which detracts from the current situation to a minor extent. = Poor (2)	7
EL2	The site is larger than the combined area of land-take at Hobson's Park and	Currently an agricultural field, flat and level, located on the east side of the	Direct connection to the Genome Path and Footpath 198/2 but located on the east side of the railway so	9

Exchange Land No.	Quantity	Quality	Accessibility	Total
	the Long Road Sixth Form College grounds. = Excellent (5)	railway with no direct connectivity to Hobson's Park and the Long Road Sixth Form College grounds which detracts from the current situation to a minor extent = Poor (2)	no connectivity to the area of land-take at Hobson's Park and the Long Road Sixth Form which detracts from the current situation to a minor extent. = Poor (2)	
EL3	The site is larger than the combined area of land-take at Hobson's Park and the Long Road Sixth Form College grounds. = Excellent (5)	Currently an agricultural field, flat and level, located on the east side of the railway with no direct connectivity to Hobson's Park and the Long Road Sixth Form College grounds which detracts from the current situation. = Poor (2)	Not directly connected to a PRoW or cycle track and located south of the Nine Wells Local Nature Reserve. No connectivity to area of land-take at Hobson's Park and the Long Road Sixth Form College grounds. The lack of accessibility is a major detraction from the current situation. = Very poor (1)	8
EL4	The site is marginally larger than the combined area of land-take at Hobson's Park and the Long Road Sixth Form College grounds. = Good (4)	Currently an agricultural field, flat and level, located on the west side of the railway, directly south of and physically connected to Hobson's Park (in contrast to land on the east side of the railway). = Satisfactory (3)	Not directly connected to a PRoW or cycle track but will be directly connected to the land take at Hobson's Park. This includes a new accommodation bridge and footbridge over Hobson's Brook to be provided as part of the CSIE Project. Access from Clay Farm will be required to cross Addenbrooke's Road at this point. = Satisfactory (3)	10

5.4.5 The four identified potential exchange sites have been assessed using the criteria and scoring matrix detailed in **Table B** and **Table C** above. Pursuant to this assessment replacement site EL4 scored highest overall, with a summary of the findings provided below against each of the three assessment criteria:

Quantity: Site area of the replacement land compared to that lost as a result of the proposed Development

- 5.4.6 The CSIE Project will result in the permanent acquisition of 20,439 sqm. POS within Hobson's Park and 303 sqm at Long Road Sixth Form College grounds, providing an overall land-take of 20,742 sqm. As compensation for this, a total of 20,840 sqm POS is to be provided as replacement land, which is considered to represent a minor improvement/enhancement above the current situation for site EL4. Potential exchange sites EL2 and EL3 which provide a greater area of exchange land score more highly, with larger areas of replacement land. Exchange site EL1 provides an equivalent land area in exchange and scores 3 (matching the existing situation).
- 5.4.7 Although sites EL2 and EL3 have been scored more highly as a result of their capacity to provide more replacement land than is being lost, I am advised that compulsory acquisition is only likely to be justified to acquire a broadly comparable level of land and as such, it may be considered that those sites are not truly preferable for that reason.

Quality: Usefulness and attractiveness of the replacement land compared to that lost as a result of the proposed Development

- 5.4.8 As in the case of potential exchange sites EL1, EL2 and EL3, proposed exchange site EL4 comprises an agricultural field that is flat and level. However, the location of site EL4 on the west side of the railway line, directly south of the POS to be acquired within Hobson's Park is considered to match the existing situation, scoring 3. Sites EL1, EL2 and EL3 to the east of the railway line have no direct connectivity to the POS within Hobson's Park and so score 2 (a minor reduction/detraction from the current situation).

Accessibility: Distance of the replacement land from the site of the proposed Development

- 5.4.9 Whilst not directly connected to a PRoW or cycle track, site EL4 will be directly connected to Hobson's Park via a new accommodation bridge and a footbridge over Hobson's Brook. Access from Clay Farm residential development will involve crossing Addenbrooke's Road. This is considered to match the current situation scoring 3. For potential exchange sites EL1 and EL2 cycleway and footpath connections are provided but with no connectivity to the POS at Hobson's Park by their location on the east side of the railway line and score 2 (a minor reduction/detraction from the current situation). EL3 has neither cycleway and footpath connections and with no connectivity to the POS at Hobson's Park by its location on the east side of the railway line scores 1 (a major reduction/detraction from current the situation).
- 5.4.10 It is to be noted that in their original representation to the inquiry, GCSP confirmed that it was their view that EL4 did represent the most appropriate location for the replacement land.

Exchange Land Improvements

- 5.4.11 A landscape scheme, incorporating an area of native planting and habitat creation, including a seasonal pond and connecting footpaths is proposed within the preferred exchange land site (EL4). An indicative landscape layout (Drawing Ref. 158454-ARC-00-ZZ-DRG-EEN-000076) was submitted as part of the request for deemed planning permission and will be developed and implemented following approval of the landscape design by the local planning authority.

- 5.4.12 The landscaped proposals are intended to provide a new area of publicly accessible open space, comprising of grassland, scattered scrub/tree copses, ponds and riparian habitat to the south of Hobson's Brook. This area of native planting and habitat creation will have beneficial landscape impacts to the area as a whole by softening views to the hard-engineered Nine Wells Bridge structure and to the built-up edge of the Cambridge Biomedical Campus, as well as providing a landscape structure to this area of exchange land and improvements to the existing watercourse.
- 5.4.13 The Draft Order contains certain requirements relating to the provision of replacement open space land and the vesting of the existing open space land. Network Rail note that, as currently drafted, Article 36(1) of the Draft Order, provides that Network Rail shall not under the powers of the Order vest any part of the existing open space until it has vested so much of the replacement land as is equivalent in area to the amount of the existing open space that is required for the authorised works. Article 36(3) provides that Network Rail must lay out as replacement open space so much of the replacement land which has been vested under Article 36(1) before the authorised works are first brought into use. Once Cambridge City Council has certified that the land has been satisfactorily laid out, the land then vests in the Pemberton Trustees and the Council (Article 36(4)). This clause is only triggered when Network Rail take permanent possession of land classed as open space. However, in light of the representations made, Network Rail has reviewed its position and can now commit to providing the replacement land by the time any of the existing open space is permanently vested, accordingly Article 36 will be amended to reflect this position and revised Draft Order will be submitted to the Inquiry.
- 5.4.14 In order to construct the works Network Rail require to take land temporarily and will not formalise the permanent land take until towards the end of the construction programme. This will allow Network Rail to seek to minimise the permanent land take where possible and only acquire that land required by the operational CSIE Project. Network Rail also need the exchange land temporarily to provide access to the work sites south of Addenbrookes Road and to construct the proposed accommodation bridge. As a result of this and the need to complete the permanent land purchase, discharge the planning conditions relating to the landscape scheme and the accommodation bridge and layout the exchange land, Network Rail will not be able to provide the exchange land until much later in the construction programme.
- 5.4.15 In the event Network Rail were required to provide the exchange land prior to the start of the construction works it would create an unsafe conflict between the public and its proposed temporary use during the construction of the project for construction traffic accessing areas south of Addenbrooke's Road and the construction of the accommodation bridge. To provide a safe arrangement Network Rail would require additional land to provide the haul road to access the construction works south of Addenbrooke's Road and for the construction of the accommodation bridge to remove any conflict between the public using the exchange land and the construction works. The approvals and landscape works to layout the exchange land would also lead to a significant delay to the start of the construction works for the CSIE Project and therefore a delay to its opening and the wider benefits it brings to the area.
- 5.4.16 Network Rail will review their programme in order to provide the exchange land at the earliest time and certainly before the station is brought into operation.

5.5 Conclusions

- 5.5.1 The above assessment has shown that the proposed exchange land site (EL4) scores above the three other potential sites when assessed against the criteria set out in **Table B** above. As noted previously, in preparing this evidence, I have taken the opportunity to review the earlier POS Assessment within the Public Open Space Assessment Report (June 2021) and on reflection consider that the Accessibility scoring for EL4 should be reduced from 4 (Good) to 3 (Satisfactory), based on the replacement land matching that to be lost as a result of the proposed development. This does not affect the overall position of the proposed exchange land site as the most suitable mitigation site.
- 5.5.2 It is worth noting that the findings of the Assessment have not taken into account the proposed enhancement of the exchange land site, based on the indicative landscape proposals put forward for the site. In addition to providing continued POS provision, these proposals, will, I consider offer wider community and amenity benefit to users of the Park compared to that which will be lost as a result of the CSIE Project.
- 5.5.3 As demonstrated by the application of the POS Assessment above, site EL4 therefore satisfies the statutory test set out in the Acquisition of Land 1981 Act (Document Reference B12), principally that provided in section 19(1), requiring that the exchange land is no less in area and equally advantageous to persons entitled to rights over such land and to the public.

6 Response to the Objectors

6.1.1 In this section of my evidence, I respond to the following objectors who have raised the selection of site EL4 as the preferred replacement land for the loss of POS at Hobson's Park and within the grounds of Long Road Sixth Form College, in their objections to the CSIE Project.

- OBJ01 Savills on behalf of St John's College, Cambridge
- OBJ23 Cambridge City Council
- OBJ25 Mark Chaplin

6.2 Objection OBJ01 St John's College

6.2.1 In their objection on behalf of St John's College, Savills refer to the replacement land that is to be provided in exchange for the land to be lost to the CSIE Project, which is currently in the ownership of their client, and maintain that the scoring given for each of the four potential sites is 'arbitrary and unjustified' as set-out below:

- *The Quality of site EL4 has scored 4 on the basis that it is directly to the south of Hobson's Park*

6.2.2 Savills maintain that site EL4 is not directly to the south of Hobson's Park, with a significant road between the two sites. On this basis they contend that the site should have scored 2, the same as for sites EL1, EL2 and EL3.

6.2.3 As will be apparent from a review of **Table C** above, it appears that Savills have incorrectly interpreted the matrix scoring. The Quality score for site EL4 is shown as 3 (and not 4) compared to a scoring of 2 for sites EL1, EL2 and EL3.

6.2.4 The distinction between the two scores as stated under the Quality criterion in **Table C** is that sites EL1, EL2 and EL3 are located on the east side of the railway line with no direct connectivity to Hobson's Park or Long Road Sixth Form College grounds. This is not the case for site EL4 which is located directly to the south of Hobson's Park and to the west of the railway line. A maintenance track separates Hobson's Park and site EL4 (**Figure 10**) running parallel to the southern highway boundary of Addenbrooke's Road and passing beneath the highway bridge (Nine Wells Bridge) to access Hobson's Park. A Quality score of 3 (matching the existing situation) is therefore considered to be appropriate. In any event, I note that reducing the Quality score by 1 would not change the overall conclusion that site EL4 is the best performing option.

6.2.5 More generally, as noted in paragraph 4.4.1 above, I have taken the opportunity to review the scoring criteria within the replacement land assessment and consider that the Accessibility scoring for site EL4 should be reduced from 4 (Good) to 3 (Satisfactory), though this does not affect the overall position of the site as the preferred area of exchange land.



Figure 10-1 – Maintenance track, Hobson's Brook and replacement land

- *EL4 was given a score of 4 for 'Accessibility' on the basis that the site would be directly connected to the land to be lost within Hobson's Park*

- 6.2.6 Savills note that the accommodation overbridge is intended to provide the landowner with an alternative means of access, replacing two level crossings that currently exist, and that without the accommodation overbridge the site would have scored 'more or less the same' as sites EL1, EL2 and EL3. Savills go on to say that as the landowner requires an accommodation overbridge for future access they have been scored unfairly in relation to the open space requirement and that this will require a 'significant' area of land to be compulsorily acquired.
- 6.2.7 I would concur with the objector's view that the scoring of 4 for site EL4 under the Accessibility criterion is largely based on the fact that the exchange site will be directly connected to Hobson's Park via a new accommodation bridge over Hobson's Brook (as noted in **Table C**). It is my interpretation of the commentary that follows in the objector's response that were the two existing level crossings not to be replaced, an accommodation bridge would not be required for this purpose, reducing the score for site EL4 to that of sites EL1, EL2 and EL3. However, sites EL1, EL2 and EL3 are each located to the east of the railway line, making any connectivity prohibitive and not as accessible as that for site EL4. Moreover, the provision of the accommodation bridge over Hobson's Brook is not solely to provide field access to the land beyond but is intended to provide a direct link between the existing POS at Hobson's Park and the exchange land site, as shown within the indicative landscape proposals for the site. (Drawing Ref. 158454-ARC-00-ZZ-DRG-EEN-000076).
- 6.2.8 I do not accept that the provision of the accommodation bridge will require a 'significant' area of land. Indicative Landscape Layout Plan (Drawing Ref. 158454-ARC-00-ZZ-DRG-EEN-000076) submitted as part of the request for deemed planning shows the proposed accommodation bridge extending from the maintenance track, over Hobson's Brook and into the exchange beyond, resulting in a minor

encroachment into this area of land. Notwithstanding, this fact is not a relevant consideration in the assessment scoring for potential areas of replacement land.

- 6.2.9 In conclusion, Savills request that the scoring matrix should be reviewed by an independent consultant to ensure that the outcome is 'fair and reasonable.'
- 6.2.10 I do not accept that an independent review is required. From my review of the assessments undertaken, I have not agreed with all of the assessment findings, which have been highlighted in my Proof of Evidence.
- 6.2.11 As a Chartered Member of the Royal Town Planning Institute, I am bound by the Institute's Code of Professional Conduct. This is based around five core principles of competence, honesty and integrity; independent professional judgement; due care and diligence; equality and respect; and professional behaviour which set out the required standards of practice and ethics. I have adhered to these principles in undertaking my assessment and note in any event that it will be subject to the independent scrutiny of the Inspector and Secretary of State.

6.3 Objection OBJ23 Cambridge City Council

- 6.3.1 Whilst supporting the aims of the new station and its associated infrastructure, Cambridge City Council has submitted the following objections in its Statement of Case (Document Reference E11) both in its capacity as statutory consultee and as landowner with a potential interest in the land. I deal with these in turn below.

Statutory Consultee Objections

- 6.3.2 Objection is made on the following grounds on matters relating to POS under the following numbered paragraphs within its Statement of Case:
4. *Further information on the landscaping and biodiversity features, and the accessibility and safety of crossing Addenbrooke's Road is required in order to assess whether the proposed exchange land is appropriate replacement for the loss of existing public open space, in accordance with Local Plan 2018 policy 67.*
 5. *The exchange land to compensate for the permanent loss of public open space and the new access routes outside of the site compound must be laid out and available for use before the use of areas of existing public open space for the development commences, in order to provide satisfactory replacement in accordance with Local Plan 2018 policy 67.*
 6. *The temporary use of Hobson's Park must be justified both in terms of the area of land and the duration for which the land is required, and this must be secured through a condition in order to minimise the temporary loss of public open space in accordance with Local Plan 2018 policy 67.*
 7. *There must be no spoil permanently placed within areas of public open space and this must be secured through a condition in order to ensure that spoil placement does not lead to the permanent loss of public open space or harm to the character of the public open space in accordance with Local Plan 2018 policy 67.*

- 6.3.3 Although each of these grounds for objection relate to POS matters, to avoid duplication they are referred to in John Pearson's Planning Proof of Evidence (NRE 9.2) and Appendix E South Cambridge District Council's update letter to Network Rail (NRE 9.3) and are not repeated here.

Landowner Objections

- 6.3.4 Cambridge City Council as landowner objects to the following POS matters, under the following numbered paragraphs in its Statement of Case:

15. The use of existing public open space for the creation of new access routes and temporary work required for the construction must be the minimum requirement and must be justified.

- 6.3.5 Paragraphs 17.4.5 to 17.4.24 of ES Chapter 17 (Traffic and Transport) sets out the construction mitigation measures to be detailed in a Construction Transport Management Plan (CTMP) forming part of the Code of Construction Practice (CoCP) Part B. The CTMP shall include the following, as a minimum:

- Construction access routes including access and egress points on to the public highway.
- Prohibited routes for construction traffic.
- Any time restrictions imposed on any routes, following consultation with the Highway Authority.
- Temporary road and PRow closures and diversions, which will be advertised in accordance with the relevant legislation.
- Details of the audit and performance monitoring for construction traffic to ensure their adherence to the stated routes and restrictions.
- Site specific controls in consideration of the potential nuisance (noise, vibration, mud and dust).
- Highway improvements for safety and capacity requirements along any routes where considered necessary as part of the proposed Developments
- Construction Access Route assessment.

- 6.3.6 In addition, CoCP Part B will incorporate the following best practice measures:

- Avoiding excessive temporary land take during construction, including Hobson's Park to allow retention of as much of the existing open space and path network as possible
- Avoiding excessive temporary land take during construction by using existing maintenance tracks as haul / construction access routes

16. The layout of new routes across the public open space should consider the impact on the remaining green spaces between the routes, and any resulting changes to the management regime required or to the use of these spaces for recreation.

- 6.3.7 The Network Rail (Cambridge South Infrastructure Enhancements) Order, June 2021 (Document Reference NR-12) includes at Schedule 1: Proposed Planning Conditions to be attached to deemed planning permission. This includes draft planning condition 29: Hard and Soft Landscape which states that:

No development above ground level (or phase thereof) other than demolition shall commence until details of a hard and soft landscape scheme have been submitted to and approved in writing by the local planning authority. This scheme must be in accordance with Parameter Plan 158454- ARC-ZZ-ZZ-DRG-LEP-000101, and shall be submitted with a Design Compliance Statement demonstrating compliance with the relevant Cambridge South Design Principles.

- 6.3.8 The following details are to be provided as part of the condition (inter-alia):

- a) *proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (underground elements need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports);*
- f) *a landscape maintenance and management plan for proposed landscaped areas and green biodiverse roof, including long term design objectives, management responsibilities and maintenance schedules/programme for all landscape areas.*

- 6.3.9 Paragraph 13.2.28 of my Proof of Evidence notes that the indicative landscape layout (Drawing Ref. 158454-ARC-00-ZZ-DRG-EEN-000076) was submitted as part of the request for deemed planning and will be developed and implemented following approval of the landscape design by the local planning authority. Consequently, the concerns expressed by the objector can be addressed through this process.

6.4 Objection OBJ25 Mark Chaplin

- 6.4.1 In his objection (Document Reference OBJ25) Mark Chaplin refers to the methodology and conclusions of the POS Assessment in his grounds for objecting as follows:

The assessment is based on the assumption that all access to Hobson's Park is from the west side and fails to consider access from east of the railway

- 6.4.2 It is not agreed that the POS Assessment within the Public Open Space Assessment Report (Document Reference NR19) has excluded consideration of accessing Hobson's Park from the east of the railway. Table 8 describes the current use of POS within Hobson's Park referring to the connectivity provided to the Park that, 'a cross section of the public use the area, including dog walkers, cyclists and runners as well as workers from the Cambridge Biomedical Campus located to the east of the POS'.

The access track adjacent to the railway line is popular with walkers and runners from the east side of the railway contrary to the assertion in paragraph 5.1.32 in the summary of operation effects part of NR19

- 6.4.3 Table 8 of the Public Open Space Assessment Report acknowledges that Hobson's Park is well used on a daily basis by the local community, including walkers and cyclists. However, the Report notes the limitations of the access track within this narrow strip of land compared to the area of Hobson's Park beyond, recognising that the area *'of POS being acquired is of low value as it is predominately scrub land and is bordered by the railway to the east. It is also screened from the wider area of POS by landforms (2-3m high hillocks) which have been planted with saplings. A maintenance track running parallel to the railway, limits the ability of the public to use it particularly given the more favourable adjacent, wider area of POS'*.

For park users from east of the railway, the land at EL4 is feeble compensation for the loss of land on the eastern edge of the existing park, whereas the land at EL2 is closest to the Cambridge Biomedical Campus and no further away than the zig zag path at the south end of the existing park.

- 6.4.4 It is acknowledged that the land at EL2 is located closer to the Cambridge Biomedical Campus than EL4, by being located on the same, eastern side of the railway. However, for this reason it scores relatively poorly in terms of the Quality and Accessibility in the Exchange Land Assessment (Table C) with no direct connectivity to the POS to be permanently acquired within Hobson's Park.

The assessment takes no account of the value of time

- 6.4.5 The assessment of the potential exchange land within the POS Assessment is based on the criteria set out within national guidance and local planning policy in relation to Quantity, Quality and Accessibility of land. Policy guidance makes no reference to time as a relevant criterion and for this reason is not included in the assessment process.

Revised Table C Exchange Land Assessment

- 6.4.6 Mr Chaplin has presented a revised assessment of the exchange land. It is not agreed that the Quality and Accessibility scoring for land at EL4 should score 2 (providing a minor reduction/detraction from the current situation) within the assessment of potential exchange land sites, for the reasons I explain in my Table C above. However, as noted in paragraph 4.4.1 in the Proof of Evidence, my review of the scoring matrix within the Public Open Space Assessment Report has recommended a lower score of 3 (Good) rather than 4 (Satisfactory) in terms of Accessibility. This provides an overall score of 10 for EL4, which is the same score suggested by Mark Chaplin. However, the 'time' criterion put forward by Mark Chaplin is not accepted as forming part of the assessment process (paragraph 5.3.5) and therefore the enhanced scores proposed for the alternative sites are not accepted.

7 Conclusions

- 7.1.1 There are two areas of POS within the TWAO site boundary that may be permanently impacted as a result of the CSIE Project. These sites are at Hobson's Park and at Long Road Sixth Form College. As compensation for the loss of these areas of POS, exchange land will be provided on land immediately to the south of Hobson's Field in line with the assessment criteria set out in national guidance and local planning policy. This will result in the provision of an additional area of POS, greater in area than that to be lost which will be of at least as equivalent in quality as the existing POS, providing informal footpaths, biodiverse habitats (including a pond) and seating areas. It will be easily accessible to the public for similar recreational and leisure activities as the existing POS being acquired, with no significant long-term residual effects on open space provision.
- 7.1.2 The assessment methodology for POS provision has been undertaken in line with established policy and guidance and has demonstrated that the loss of existing POS at Hobson's Park and Long Road Sixth Form College will have no significant effects. The identified replacement POS on land south of Hobson's Park has followed national and local policy guidance and, in comparison with other potential replacement sites within the vicinity has shown the site to be the most suitable, thus meeting the legislative provisions of the Acquisition of Land Act 1981 (Document Reference B12) and the applicable national and local policy requirements.
- 7.1.3 Although two areas of POS within Hobson's Park and at the Long Road Sixth Form College are needed to accommodate temporary construction activities, replacement land is not required to be provided for the temporary use of land. As assessment of the impacts on both areas of land has been undertaken within the Environmental Statement (Document Reference NR16) which considers these to be not significant.

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